In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.35993-M of 2007

.....

Date of decision:17.7.2007

Jagjit Singh alias Jagga

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. P.K. Gupta, Advocate for the petitioner.

Mr. I.P.S. Sidhu, Senior Deputy Advocate General, Punjab for the respondent-State.

.....

S.S. Saron, J.

Heard learned counsel for the parties.

The petitioner seeks regular bail in case FIR registered against him for the offences under Sections 342, 324, 326 and 34 IPC.

The FIR has been registered on the statement of Jaswinder Singh alias Jassa son of Daljit Singh wherein it has been alleged that on 4.3.2007 he along with Jaswinder Singh son of Onkar Singh came to Village Khanaura for the marriage of the sister of his friend Harjit Singh. After taking out `Jaggo' they both started back on their motorcycle from Village Khanaura to Damunda. When they reached near the liquor vend at about 11.30 p.m., a youngman signalled them to stop. There were two more persons standing and the person who signalled them to stop was Jagjit Singh alias Jagga (petitioner) who was armed with `Datar'. The other

person Gurminder Singh alias Ginda (non-petitioner) was also armed with `Datar' and the third person was Raja. Due to fear the complainant did not stop the motorcycle and when he tried to pass by the side then Gurminder Singh (non-petitioner) gave a `Datar' blow to the complainant which hit on his left arm as a result both the riders of the motorcycle fell down. Then Raja raised a `Lalkara'. The petitioner gave a `Datar' blow to Jaswinder Singh son of Onkar Singh. By raising hue and cry and lifting their motorcycle they returned to the house of their friend Harjit Singh of Village Khanaura. The accused had chased them all the way. There is a delay of three days in lodging the FIR. There was no earlier dispute between the complainant and the petitioner. The offence under Section 326 IPC has been added later. The petitioner is in Jail since 4.5.2007 and the trial is likely to take some time. The role attributed to the petitioner has to be gone into and considered after evidence has been led.

In the circumstances, the petitioner on his furnishing personal bond and surety to the satisfaction of learned Chief Judicial Magistrate, Hoshiarpur shall be admitted to bail.

The criminal miscellaneous petition stands disposed of.

July 17, 2007. **(S.S. Saron)**
Judge

hsp